

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARK YORK,

Plaintiff,

CASE NO. 2:13-CV-11761
JUDGE STEPHEN J. MURPHY, III
MAGISTRATE JUDGE PAUL J. KOMIVES

v.

FREDDY RUDOLPH and
CHARLES G. LAWSON
TRUCKING, INC.,

Defendants.

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**ORDER GRANTING AS UNOPPOSED DEFENDANTS' SEPTEMBER 27, 2013
MOTION TO COMPEL DISCOVERY RESPONSES FROM PLAINTIFF (Doc. Ent. 4)**

A. Background

On January 25, 2013, plaintiff Mark York filed this lawsuit against defendants Freddy Rudolph and Charles G. Lawson Trucking, Inc. in Wayne County Circuit Court. The facts underlying the complaint stem from an alleged October 1, 2012 collision. *See* Doc. Ent. 1-1. Defendants filed an answer and affirmative defenses on or about April 19, 2013. Doc. Ent. 1-2.

On the same date, defendants removed the case to this Court. Doc. Ent. 1. On June 11, 2013, plaintiff filed a reply to defendants' affirmative defenses. Doc. Ent. 3.

B. Pending Motion

Currently before the Court is defendants' September 27, 2013 motion to compel discovery responses from plaintiff (Doc. Ent. 4). Attached to this motion are (A) defendants' July 24, 2013 First Interrogatories to Plaintiff and First Request for Production of Documents to Plaintiff (Doc. Ent. 4-2); (B) defendants' July 31, 2013 First Interrogatories to Plaintiff

Regarding Medicare/Medicaid (Doc. Ent. 4-3); (C) defendants' September 17, 2013 Proposed Stipulated Order Compelling Discovery Responses from Plaintiff (Doc. Ent. 4-4); and (D) defendants' proposed order compelling discovery responses from plaintiff (Doc. Ent. 4-5). *See* Index of Exhibits (Doc. Ent. 4-1).

C. Discussion

"A respondent opposing a motion must file a response, including a brief and supporting documents then available." E.D. Mich. LR 7.1(c)(1). "A response to a nondispositive motion must be filed within 14 days after service of the motion." E.D. Mich. LR 7.1(e)(2)(B).

Defendants filed the instant, non-dispositive motion on September 27, 2013. Doc. Ent. 4. Thus, plaintiff's response to this motion was due on or about Tuesday, October 15, 2013. *See* Fed. R. Civ. P. 6(a)(1)(C), 6(d).

To date, no response has been filed.

D. Order

Accordingly, defendants' September 27, 2013 motion to compel discovery responses from plaintiff (Doc. Ent. 4) is GRANTED AS UNOPPOSED. Plaintiff SHALL produce to the offices of Kopka, Pinkus, Dolin & Eads, P.L.C., within seven (7) days of the date of this Order, full and complete responses to the following discovery requests:

1. Defendants' First Interrogatories to Plaintiff;
2. Defendants' First Request for Production of Documents to Plaintiff; and
3. Defendants' First Interrogatories to Plaintiff Regarding Medicare/Medicaid.

IT IS SO ORDERED.

The attention of the parties is drawn to Fed. R. Civ. P. 72(a), which provides a period of fourteen (14) days from the date of receipt of a copy of this order within which to file objections

for consideration by the district judge under 28 U.S.C. § 636(b)(1).

Dated: October 16, 2013

s/Paul J. Komives
PAUL J. KOMIVES
UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on October 16, 2013, electronically and/or by U.S. Mail.

s/Michael Williams
Relief Case Manager for the
Honorable Paul J. Komives